THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.16 OF 2006

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Date:03-01-2006

Between:

M/s Priyadarshini Cement Limited …Petitioner

And

The Commercial Tax Officer …Respondent

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.16 OF 2006

O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

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Heard learned counsel for the parties.

The order impugned in this writ petition is an appealable order. Since an efficacious alternative remedy is available to the petitioner, therefore, we do not want to interfere in the matter at this stage. However, learned counsel for the petitioner submits that demand has been made on 17-12-2005, which was served on the petitioner on 23-12-2005. Normal time provided under the statute for making the payment under the demand is 30 days, but the Commercial Tax Officer has reduced this period to only 7 days, which has prejudiced him even in filing appeal. In these circumstances, we allow the petitioner to file an appeal and extend the period of payment till 22nd January, 2006 to enable him to file appeal within the statutory period and also file application for grant of stay before the appropriate authority. Original order be returned to the petitioner subject to retention of certified copy of the same.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, J)

3rd January, 2006

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(S.Ananda Reddy,J)

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